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Written statement* submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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PAKISTAN: Government facilitates curbing freedom of religion

The Asian Legal Resource Centre (ALRC) would like to draw the UN Human Rights Council's attention to the issue of a continual curb on freedom of religion in the country. Pakistan's systemic discrimination against its minorities is a cause for concern. Since 2002, the United States Commission on International Religious Freedom has been pushing this, since the designation of Pakistan in the list of Countries of Particular Concern (CPC). Pakistan has recently been placed on a special watch list for severe violations of religious freedom by the United States of America Secretary of State, Rex Tillerson. This was done under the International Religious Freedom Act of 1998. A brief announcement by the United States State Department said that for the first time it had created a 'Special Watch List' for countries that "engage in or tolerate severe violations of religious freedom but may not rise to the level of CPC. The Minority Rights Group International has identified Pakistan as one of the most dangerous countries in the world for religious minorities.

In its 2016 report, the Pew Research Center determined that over an eight-year period Pakistan is one of a small group of countries that "stand out as having the most restrictions on religion when both government restrictions and religious hostilities are taken into account. The European Union has stated that it might review "its economic concessions given to Pakistan over the deteriorating human rights situation. This includes the wave of abductions (enforced disappearances) of activists reportedly by the security agencies and discriminatory laws against minorities." The European Union has warned Pakistan that there can be no place for enforced disappearances and secret detention in the country. The Government must investigate and criminalize the practice, as well as amend its discriminatory Laws against minorities.
State bias and prejudice is apparent in the judicial and administrative attitude towards the Ahmadis, Christians, Hindus and Hazara Shias. All have been made to suffer constantly for their beliefs and denied promotions and jobs in Government departments. They are not allowed to openly profess their beliefs. Their properties and even graves are not exempted from being vandalized by unruly fundamentalists. The State does not intervene to protect the life or property of a citizen belonging to a minority group, despite an obligation to protect all of its citizens.

The religious and ethnic minorities continue to suffer discrimination. This situation goes on, despite the Constitutional obligation to protect the life and property of all citizens regardless of caste, ethnicity, religion or gender. The State plays the role of a bystander when human rights abuse occurs at the hands of the powerful majority group. In 2014, the Supreme Court ordered the Government to establish a National Council for the Rights of Minorities and set up a special regulatory body to monitor abuses of religious rights. The Government finalized the entire process without ever consulting the minority groups themselves. Religious minority groups called the move undemocratic and unethical. To date the Commission has yet to be formally established.

The curriculum taught to primary and secondary students is extremely biased against non-Muslims. They are generally painted in a negative light resulting in a rise in violence against religious minorities. The US Commission on International Religious Freedom (USCIRF) in its report "Teaching Intolerance in Pakistan — Religious Bias in Public School Textbooks." has recommended a review of the Pakistani textbooks. They insisted that overemphasis on Islam as being the "only correct" faith in textbooks was against the Constitution of Pakistan. The report claims that the most recurring trend in textbooks, from all grade levels, is the overemphasis on the glorification of war and war heroes. Another research study, conducted by the Pakistan-based Peace and Education Foundation (PEF), says that social studies, Pakistan Studies, and History curriculums, are extremely biased and propagate prejudice against religious minorities.

Extreme religiosity that elicits murder is overlooked by the State and Judiciary in Pakistan. Violence in the name of religion is a sensitive issue that may infuriate the clergy and the vote bank of the politicians. The murder of a member of a minority is trivialized and even normalized as just another murder. The local administrations often politicize the issue by allowing impunity to take precedence over minority rights. The hatred against religious minorities is increasingly common in the country's primary and secondary schools. In the absence of a proper educational policy, teachers follow the lead of fundamentalist preachers.

The ALRC recently reported and highlighted in its Urgent Appeal AHRC-UAC-124-2017 the case of a 17-year-old Christian student, Sharoon Masih. He was killed by his classmates, after absorbing the continuous hateful remarks of their teacher. The student was killed for drinking water from the school's water cooler. Police refused to book the schoolteacher and head master for spreading religious hate among the students. To date no arrests have been made This is the second case of a Christian beaten to death by Muslim students for using the water cooler, after Asia Bibi, a Christian woman, was sentenced to death for taking water from the tap, During the past three months, three Christian students from various Muslim schools were forced to leave for being Christians.

Religious minorities also suffer discrimination in employment opportunities, due to the lack of a political will in uplifting the Christian community. An example would be Christian sanitary workers who are restricted to remain sanitary workers for generations. In an act of blatant discrimination against the Christian religious minority, and an infringement of Article 27 of the Constitution of Pakistan, the Hyderabad Municipal Corporation has invited applications for sewer jobs from Non-Muslims only. Moreover, applicants are required to take an oath on their religious holy book - Geeta or Bible – that they will never do anything else but work as a sanitary worker, and will never refuse to carry out the work.
More than 1,400 incidents targeting the Shia and Hazara community have taken place during the past 15 years. The Hazaras, an ethnic group, are targeted for professing a faith different from the majority.

Hazaras are dismissed as an ethnic and religious minority whose blood is not as good as the majority Sunni populace. Since 2001, 2603 Shia had reportedly been killed, half of them being Hazara Shias. The callous apathy of the State to ethnic cleansing is deplorable. In 2012, then Chief Minister Aslam Raisani reportedly told a journalist after the Mastung Massacre that, "The population of Balochistan is in millions, 40 dead in Mastung is no big deal. When asked what he could do for the grieving families of the victims, he replied, "I can send a truckload of tissue papers for them to wipe their tears." Unidentified men in uniform are now seen offloading Hazaras from buses, to be shot at point-blank range near the Pakistan-Islamic Republic of Iran border, within meters of Frontier Corp check posts.

Similarly, in the Parachinar District Khurram Agency, the criminal negligence of the Pakistan Government and Military in addressing the Shia killings in Khurram Agency is flaring up sectarian violence throughout Pakistan. The year 2017 has been particularly gruesome with on-going military operations, and a new wave of bombs blasts and suicide attacks against the Shia population of the region. Since January, more than 175 people have lost their lives in violence and bomb blasts. Pakistan, being a signatory of the Convention on the Punishment and Prevention of Genocide defines genocide as: when a party has the intent to destroy a religious, ethnic, or racial group "in whole, or in part" and acts on that intent by killing, injuring, or deliberately causing conditions leading to the physical destruction of that group. Pakistan has a responsibility to prevent these acts.

The ALRC would like to recommend the following to the Government of Pakistan:

a) The Government of Pakistan should ensure the security of the country's religious minorities from injustice and attacks by militants. The only deterrence to violence is accountability. Only when the Government ends impunity can the tide of militancy, extremism and sectarianism in the country recede.

b) The government of Pakistan must stop forcing religious minorities into degrading jobs. It should also work on sensitizing society, to encourage a pluralistic and egalitarian atmosphere, where the rights of minorities are equally protected. It is imperative for a strengthened Pakistan that all its citizens, regardless of caste, color, ethnicity, political or religious association, be treated on an equal footing by the State. The government of Punjab in particular, should immediately stop the policy of discrimination and bias against its beleaguered Christian community.